

Delft Office (600-0240)

P.O. Box 1, 2600 MA Delft, The Netherlands

Telephone (31) 15 2799111, Telefax (31) 15 2793957, e-mail ip.delft@dsm.com

Visitors: Alexander Fleminglaan 1, 2613 AX Delft

European Patent Office (Rijswijk)

P.O. Box 5818

2280 HV RIJSWIJK

NETHERLANDS

BY FACSIMILE (confirmation by mail)

Your reference

Our reference

Direct line

Delft

20897WO
VM

(31) 15 2793940

25 October 2004

Country:	INTERNATIONAL PROCEDURE
Patent Application No.:	PCT/EP03/12701
Publication No.:	WO 2004/044215
Filing Date:	13 November 2003
Applicant:	DSM IP Assets B.V.

Dear Sir/Madam,

The applicant respectfully requests the International Preliminary Examination Authority to allow rectification under R. 91 PCT of some obvious errors present in the above-mentioned International Patent Application.

Replacement sheets of page 15 and 16 containing the rectification to the obvious errors as indicated hereafter are herewith enclosed.

The obvious errors, which have been rectified in the replacement sheets, refer to an incorrect indication of the symbol relative to "degree Celsius", i.e. "°C", which has been erroneously and repeatedly indicated as "0C" in pages 15 and 16, the latter in contrast to the remainder of the patent application (compare for example page 10, lines 16-19).

Therefore

At page 15, line 16, "90-940C" has been corrected as "90-94°C",
at line 25, "920C" has been corrected as "92°C",
at line 26, "65-700C" has been corrected as "65-70°C",
at line 27, "50-550C" has been corrected as "50-55°C",
at line 28, "45-500C" has been corrected as "45-50°C",
at page 16, line 7, "200-2200C" has been corrected as "200-220°C",
at line 8, "75-920C" has been corrected as "75-92°C",
at line 9, "55-600C" has been corrected as "55-60°C",
at line 10, "30-350C" has been corrected as "30-35°C",
at line 11, "15-200C" has been corrected as "15-20°C",
at line 12, "300C" has been corrected as "30°C".

MvH/dn/2004-10-5868

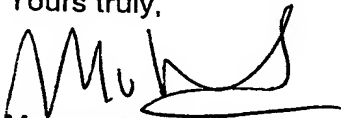
The applicant submits that the skilled person would immediately realize that nothing else could have been intended than what is offered as a rectification for the following reasons. The skilled person knows that the symbol used for "degree Celsius" is " $^{\circ}\text{C}$ " and he would realize that errors have been made at page 15 and 16 of the patent specification as indicated above. It is clear that the rectification offered by the applicant is obvious. This is because it is clear to the skilled person that a rectification in which a "0" needs to be added between the number and the "C" is not acceptable based on the context in which the above-mentioned temperature ranges are used.

For instance, at page 15, line 16, a rectification in which the "0" is added between the number and the "C" would lead to a pasteurisation temperature comprised between 90-94 $^{\circ}\text{C}$: The skilled person would know that pasteurization occurs at most at 100 $^{\circ}\text{C}$. Therefore a rectification as offered by the applicant above and in the replacement sheets, i.e. "90-94 $^{\circ}\text{C}$ " is obviously the correct one.

A similar reasoning can be applied to all other errors mentioned above.

Therefore the applicant requests the International Preliminary Examination Authority to allow rectification under R. 91 PCT of the above-mentioned obvious errors present in the above-mentioned International Patent Application.

Yours truly,

A handwritten signature in black ink, appearing to read 'M. van Heuvel', with a horizontal line drawn underneath it.

Margreet van Heuvel
Patent Attorney

Enclosures: replacement sheets of page 15 and 16